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EXAMINER

JONES, HEATHER RAE

ART UNIT	PAPER NUMBER
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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/766,239	Applicant(s) SEO ET AL.	
	Examiner HEATHER R. JONES	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-16 and 18-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-16 and 18-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/3/08,9/5/08,9/29/08,10/23/08,11/10/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-6, 8-16, and 18-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 16, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato et al. (U.S. Patent Application Publication 2002/0145702).

Recording claim **1**, Kato et al. discloses a computer-readable medium having a data structure for managing reproduction of still pictures, comprising: a navigation area storing at least one playlist file (Fig. 14), and first and second clip information files (Figs. 2, 14; paragraph [0195]), the playlist file including at least one playitem and at least one sub-playitem, the playitem indicating an in-point and an out-point of a first stream file for reproducing at least one still picture, the sub-playitem indicating an in-point and an out-point of a second stream file for reproducing audio data (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]), the first clip information file including a first entry point map, the first entry point map including at least one entry point pointing to the still picture, and the second clip

information file including a second entry point map, the second entry point map including at least one entry point pointing to the audio data (Figs. 7 and 70; paragraphs [0195] and [0345]); and a data area storing the first and second stream files, the data area being separate from the navigation area (Fig. 14), wherein the first clip information file corresponds to the first stream file and the second clip information file corresponds to the second stream file, and the clip information files are separate from the playlist file (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]).

Regarding claim **2**, Kato et al. discloses all the limitations as previously discussed with respect to claim 1 including that the entry point of the first entry point map provides an address of the still picture (Figs. 2, 14, 63; paragraph [0195]).

Regarding claim **3**, Kato et al. discloses all the limitations as previously discussed with respect to claim 1 including that the playitem provides navigation information for reproducing a plurality of still pictures; and the first entry point map includes an entry point, associated with each still picture, that points to the associated still picture (Figs. 2, 14, 63; paragraph [0195]).

Regarding claim **4**, Kato et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 including that the second entry point map includes a plurality of entry points, each entry point pointing to a point in the audio data (Figs. 2, 14, 63; paragraph [0195]).

Regarding claim **5**, Kato et al. discloses all the limitations as previously discussed with respect to claims 1, 3, and 4 including that the first stream file includes the plurality of still pictures, and the second stream file includes the audio data (Figs. 3, 7, 32, and 40).

Regarding claim **6**, Kato et al. discloses all the limitations as previously discussed with respect to claim 1 including that the second entry point map includes a plurality of entry points, each entry point pointing to a point in the audio data (Figs. 2, 14, 63; paragraph [0195]).

Regarding claim **16**, Kato et al. discloses all the limitations as previously discussed with respect to claim 1 including that the first stream file does not include audio data (Fig. 14).

Regarding claim **18**, Kato et al. discloses a method of recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: recording at least one first and second stream files in a data area of the recording medium (Figs. 2, 14; paragraph [0195]), recording at least one playlist file, and first and second clip information files in a navigation area on the recording medium, the playlist file including at least one playitem and at least one sub-playitem, the playitem indicating an in-point and an out-point of a first stream file for reproducing at least one still picture, the sub-playitem indicating an in-point and an out-point of a second stream file for reproducing audio data (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]), the first clip information file including a first entry point map, the first entry point map including at least one entry point

pointing to the still picture, and the second clip information file including a second entry point map, the second entry point map including at least one entry point pointing to the audio data (Figs. 7 and 70; paragraphs [0195] and [0345]); wherein the data area is separate from the navigation area (Fig. 14), wherein the first clip information file corresponds to the first stream file and the second clip information file corresponds to the second stream file, and the clip information files are separate from the playlist file (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]).

Recording claim **19**, Kato et al. discloses a method of reproducing a data structure for managing reproduction of at least one still image on a recording medium, comprising: reproducing at least one first and second stream files in a data area of the recording medium (Figs. 2, 14; paragraph [0195]), reproducing at least one playlist file, and first and second clip information files in a navigation area on the recording medium, the playlist file including at least one playitem and at least one sub-playitem, the playitem indicating an in-point and an out-point of a first stream file for reproducing at least one still picture, the sub-playitem indicating an in-point and an out-point of a second stream file for reproducing audio data (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]), the first clip information file including a first entry point map, the first entry point map including at least one entry point pointing to the still picture, and the second clip information file including a second entry point map, the second entry point map including at least one entry point pointing to the audio data (Figs. 7 and 70;

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paragraphs [0195] and [0345]); wherein the data area is separate from the navigation area (Fig. 14), wherein the first clip information file corresponds to the first stream file and the second clip information file corresponds to the second stream file, and the clip information files are separate from the playlist file (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]).

Recording claim **20**, Kato et al. discloses an apparatus for recording a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pick up configured to record data on the recording medium (Figs. 1 and 108); a controller configured to record first and second stream files in a data area of the recording medium (Figs. 2, 14; paragraph [0195]), and configured to record at least one playlist file, and first and second clip information files in a navigation area on the recording medium, the playlist file including at least one playitem and at least one sub-playitem, the playitem indicating an in-point and an out-point of a first stream file for reproducing at least one still picture, the sub-playitem indicating an in-point and an out-point of a second stream file for reproducing audio data (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]), the first clip information file including a first entry point map, the first entry point map including at least one entry point pointing to the still picture, and the second clip information file including a second entry point map, the second entry point map including at least one entry point pointing to the audio data (Figs. 7 and 70; paragraphs [0195] and [0345]); wherein the data area is separate from the navigation area (Fig. 14), wherein the first clip information

file corresponds to the first stream file and the second clip information file corresponds to the second stream file, and the clip information files are separate from the playlist file (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]).

Recording claim **21**, Kato et al. discloses an apparatus for reproducing a data structure for managing reproduction of at least one still image on a recording medium, comprising: a pick up configured to reproduce data on the recording medium (Figs. 1 and 108); a controller configured to reproduce first and second stream files in a data area of the recording medium (Figs. 2, 14; paragraph [0195]) and to reproduce at least one playlist file, and first and second clip information files in a navigation area on the recording medium, the playlist file including at least one playitem and at least one sub-playitem, the playitem indicating an in-point and an out-point of a first stream file for reproducing at least one still picture, the sub-playitem indicating an in-point and an out-point of a second stream file for reproducing audio data (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]), the first clip information file including a first entry point map, the first entry point map including at least one entry point pointing to the still picture, and the second clip information file including a second entry point map, the second entry point map including at least one entry point pointing to the audio data (Figs. 7 and 70; paragraphs [0195] and [0345]); wherein the data area is separate from the navigation area (Fig. 14), wherein the first clip information file corresponds to the first stream file and the second clip information file

corresponds to the second stream file, and the clip information files are separate from the playlist file (Figs. 2, 3, 7, 14, 32, and 40; paragraph [0195]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-15 and 22-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. as applied to claims 1 and 18-21 above, and further in view of Ando et al. (U.S. Patent 7,054,545).

Regarding claim 8, Kato et al. discloses all the limitations as previously discussed with respect to claim 1, but fails to disclose that the playitem provides navigation information for reproducing presentation data from the first stream file, the presentation data includes at least the still picture and related data associated with the still picture.

Referring to the Ando et al. reference, Ando et al. discloses a computer readable medium having a data structure for managing reproduction duration of still pictures, comprising: a data area storing at least one stream file for presentation data (Figs. 1 and 7; col. 5, lines 29-33), the presentation data being divided into a number of still picture units, each still picture unit including at least

one still picture and associated related data, the related data not including audio data (Figs. 1 and 11);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included associated related data being associated with the still pictures as disclosed by Ando et al. in the medium disclosed by Kato et al. in order further improve the viewing experience by providing the viewers with further video information.

Regarding claim **9**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 8 including that the related data includes graphics data (Ando et al.: Figs. 6A and 6B).

Regarding claim **10**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 8 including that the related data includes subtitle data (Ando et al.: Figs. 6A and 6B).

Regarding claim **11**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 8 including that the presentation data is divided into one or more still picture units such that each still picture unit includes at least one still picture and associated related data (Ando et al: Figs. 1 and 11).

Regarding claim **12**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1, 8, and 11 including that the presentation data is multiplexed into a transport stream on a still picture unit by still picture unit basis (Ando et al: col. 19, lines 16-18 – when the

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presentation data is reproduced the data has to be demultiplexed, therefore the data is originally multiplexed).

Regarding claim **13**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1, 8, 11, and 12 including that each elementary stream of the presentation data are aligned within the still picture unit (Ando et al: Figs. 1, 32, and 36; col. 33, lines 41-52 – elementary streams are included in MPEG).

Regarding claim **14**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1, 8, and 11-13 including that each elementary stream is a packetized elementary stream (Ando et al.: Figs. 1, 32, and 36; col. 33, lines 41-52 – elementary streams are included in MPEG).

Regarding claim **15**, Kato et al. in view of Ando et al. discloses all the limitations as previously discussed with respect to claims 1, 8, and 11-14 including that each still picture unit includes one packet from each packetized elementary stream (Ando et al: Figs. 1, 32, and 36; col. 33, lines 41-52 – elementary streams are included in MPEG).

Regarding claims **22-27**, grounds for rejecting claims 8-13 applies for claims 22-27 respectively in their entireties.

Regarding claims **28-33**, grounds for rejecting claims 8-13 applies for claims 28-33 respectively in their entireties.

Regarding claims **34-39**, grounds for rejecting claims 8-13 applies for claims 34-39 respectively in their entireties.

Regarding claims **40-45**, grounds for rejecting claims 8-13 applies for claims 40-45 respectively in their entireties.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is

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(571)272-7368. The examiner can normally be reached on Mon.-Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
January 3, 2009

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621